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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION
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14 UNITED STATES OF AMERICA,)
15 Plaintiff,)
16 v.)
17 PABLO PEREZ-ANGUIANO,)
a/k/a Jose Escalera Aguilera,)
18 a/k/a Jose Escalera,)
a/k/a Mario Escalera,)
19 Defendant.)
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Nos. CR12-0090 RS
CR12-0156 RS

**STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING HEARING ON
FEBRUARY 5, 2013 TO FEBRUARY 19,
2013 AND FOR THE EXCLUSION OF
TIME UNDER 18 U.S.C. § 3161**

21 On December 11, 2012 , the parties in this case appeared before the Court. At that time,
22 the Court set the matter to February 5, 2013 for a competency examine pursuant to 18 U.S.C. §
23 4241(b). The Bureau of Prisons has informed the parties that a report of the competency exam
24 will not be completed until the week of February 4, 2013. Accordingly, the parties stipulate and
25 jointly request that the hearing currently scheduled for February 5, 2013 be continued to
26 February 19, 2013 in order to receive and review any report resulting from the Court ordered
27 competency examination.

28 STIPULATION & ~~PROPOSED~~ ORDER
CONTINUING HEARING AND EXCLUDING TIME
CR 12-0090 RS & CR 0156 RS

1 The parties further agree to exclude the period of time between December 11, 2012 to
2 February 19, 2013 from any time limits applicable under 18 U.S.C. § 3161. The parties
3 represent that granting the exclusion would allow the reasonable time necessary for effective
4 preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also agree that the ends
5 of justice served by granting such an exclusion of time outweigh the best interests of the public
6 and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

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8 SO STIPULATED:

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10 MELINDA HAAG
United States Attorney

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12 DATED: January 31, 2013

_____/s/_____
13 J. MARK KANG
Special Assistant United States Attorney

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15 DATED: January 31, 2013

_____/s/_____
16 CANDIS MITCHELL
Attorney for Defendant

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STIPULATION & ~~PROPOSED~~ ORDER
CONTINUING HEARING AND EXCLUDING TIME
CR 12-0090 RS & CR 0156 RS

~~PROPOSED~~ ORDER

For the reasons stated above the Court continues the competency hearing date from February 5, 2013 to February 19, 2013.

The Court further finds that the exclusion from the time limits applicable under 18 U.S.C. § 3161 of the period from December 11, 2012 through February 19, 2013 is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161(h)(7)(A). Denying the requested exclusion of time would deprive the parties of the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §3161(h)(7)(B)(iv).

IT IS SO ORDERED.

DATED: 2/1/13


THE HONORABLE RICHARD SEEBORG
United States District Judge